

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

CLERUN D MATHIS)

Plaintiff,)

vs.)

UNION PACIFIC RAILROAD COMPANY))

Serve:)

Union Pacific Railroad)
Registered Agent:)
C T Corporation System)
400 E Court Avenue)
Des Moines, IA 50309)

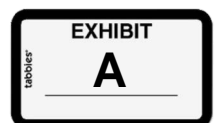
JURY TRIAL DEMANDED

Defendant.)

PETITION – CAR CRASH

COMES NOW Plaintiff, CLERUN D MATHIS, and for his Petition against Defendant, UNION PACIFIC RAILROAD COMPANY, states as follows:

1. At the time of the subject incident the Plaintiff, CLERUN D MATHIS, (hereinafter “Plaintiff”), was a resident of Missouri.
2. UNION PACIFIC RAILROAD COMPANY, is business conducting and duly authorized to conduct business in the State of Missouri.
3. The amount in controversy exceeds \$25,000, exclusive of interest and costs.
4. Venue is appropriate in St. Louis City, State of Missouri pursuant to MO. STAT. § 508.010.
5. On or about January 21, 2020, Plaintiff was driving westbound on Chouteau in the leftmost lane.



6. On or about January 21, 2020, Defendant UNION PACIFIC RAILROAD COMPANY, by and through its authorized agent and employee, ALAN HELD of 31 Wisner Rd. Warwick, NY 10990, was traveling westbound on Chouteau in the right lane in a Ford Explorer SUV.

7. Without warning and in violation of Plaintiff's right of way, the Defendant drove into the left lane.

8. Due to this sudden lane change by the Defendant, Plaintiff tried to apply brakes but was unable to avoid collision with Defendant's vehicle. Due to the collision, the right side of the Plaintiff's vehicle was damaged.

9. Defendant violated Plaintiff's right of way and caused the above referenced collision. Said collision caused extensive damage to both property and persons.

10. Defendant UNION PACIFIC RAILROAD COMPANY, by and through its authorized agent or employee was negligent in that the driver failed to exercise the highest degree of care as follows:

- A) Defendant failed to yield;
- B) Defendant failed to keep a lookout;
- C) Defendant failed to operate his vehicle in a safe manner; and
- D) Defendant failed to avoid the collision;

11. As a direct and proximate result of Defendant's negligence, Plaintiff was caused to suffer severe physical injuries.

12. In addition to his injuries, the Plaintiff has endured pain and suffering, loss of enjoyment of life and loss of wages. Additionally, Plaintiff will incur future medical expenses, future pain and suffering, and future loss of enjoyment of life.

WHEREFORE, Plaintiff requests the Court to enter judgment in his favor and against the Defendant, and award him compensatory damages in an amount to be proven at trial to be fair and reasonable in excess of \$25,000; to award him prejudgment interest, attorney fees, and the costs of this action; and to grant such other relief as the Court may deem necessary and proper.

/s/Gary J. Lauber
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